

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

GWENDOLYN NORWOOD,)	
)	
Plaintiff,)	
)	
v.)	No: 12-cv-02373-JPM-tmp
)	
)	
TRAVELERS,)	
)	
Defendant.)	

**ORDER ADOPTING REPORT AND RECOMMENDATION;
ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Before the Court is the Report and Recommendation of Magistrate Judge Tu M. Pham, filed August 19, 2013 (ECF No. 33), recommending that the Court grant Defendant's Motion for Summary Judgment (ECF No. 28). No objections to the Report and Recommendation have been filed, and the time for filing objections has expired.

"When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee notes. On clear-error review of the Magistrate Judge's Report and Recommendation, the Court finds Defendant has met its burden to show no genuine issue of material fact that the insurance policy at issue was void from

its inception due to Plaintiff's misrepresentations and that the "Vandalism Exclusion" clause in the policy precludes coverage, and that Defendant is entitled to judgment as a matter of law. Accordingly, the Court ADOPTS the Report and Recommendation in its entirety. Defendant's Motion for Summary Judgment (ECF No. 28) is hereby GRANTED and Plaintiff's claims are DISMISSED WITH PREJUDICE.

IT IS SO ORDERED, this 6th day of September, 2013.

/s/ Jon P. McCalla
U.S. DISTRICT COURT JUDGE